

CERTIFICATE OF SERVICE

I, Susie Cruz, do hereby certify that on the 16th day of April 1993, a copy of the foregoing "Motion to Dismiss" was sent first-class mail, postage prepaid to the following:

James Shook, Esq.\*  
Hearing Branch  
Federal Communications Commission  
2025 M Street, NW, Room 7212  
Washington, DC 20554

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Lou Smith Ministries, Inc.  
P.O. Box 1226  
Jeffersonville, IN 47131  
For Adams Rib, Inc.

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4350 N. Fairfax Drive, #900  
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Counsel for Midamerica Electronics Service, Inc.

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1627 Eye Street, NW, Suite 810  
Washington, DC 20006  
Counsel for Staton Communications, Inc.

Dwayne Watkins  
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981 S. Third Street. # 400

Standardized integration statements and standardized document production were due, at the latest, by April 12, 1993, or five business days after notices of appearance were to be filed. See Prehearing Conference Order, FCC 93M-114 (released March 19, 1993) at ¶4. Huber has not received integration statements or document production from either Adams Rib or D.E.K.W. Furthermore, the Commission's records do not indicate that any integration statement was filed by either applicant.

Section 1.221(c) of the Commission's rules indicates that when an applicant fails to file a timely notice of appearance or to show good cause for filing a late-filed notice, the application shall be dismissed with prejudice. Almost two weeks has passed since the deadline for notices of appearance, and neither applicant has properly filed such a notice. Moreover, neither applicant has complied with the requirement imposed by the Commission's rules and the Prehearing Conference Order to file integration statements and to produce documents. The Presiding Judge has specifically warned applicants that failure to comply with procedural requirements can result in dismissal. Prehearing Conference Order, supra, at n.5. The absolute failure of Adams Rib and D.E.K.W. to comply with procedural and discovery requirements provides a more than adequate justification for dismissing these applicants.

Accordingly, Huber asks the Presiding Judge to dismiss the applications of Adams Rib, Inc. (File No. BPH-911115MA) and D.E.K.W. Communications, Inc. (File No. BPH-911115MF) with prejudice.

Respectfully submitted,

MARTHA J. HUBER

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By John J. Schauble  
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Its Attorneys

Date: April 16, 1993

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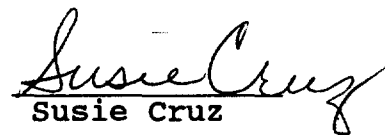
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Susie Cruz

\* Hand Delivered